

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE ADOPTION OF THE
2019 CALIFORNIA EXISTING BUILDING CODE (CEBC),
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10

(HCD 05/18)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:

(Government Code Section 11346.2(b)(1)) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem the agency intends to address for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.)

1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.

Administrative Requirement: Health and Safety Code Sections 17922 and 19990 direct the Department of Housing and Community Development (HCD) to adopt the most recent edition of the model code, which, in this case, is the International Existing Building Code (IEBC) published by the International Code Council (ICC) as selected by the California Building Standards Commission (CBSC), into Part 10 of Title 24 of the California Code of Regulations (CCR).

2) Specific Purpose

The CBSC selected the 2018 IEBC, published by the International Code Council, as the model code to be referenced in Title 24, Part 10, for the 2018 Triennial Code Adoption Cycle.

The specific purpose of these regulations is to adopt by reference the 2018 edition of the IEBC, with California Amendments, into the 2019 California Existing Building Code (CCR, Title 24, Part 10), for the following programs:

- a) State Housing Law Program:** relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921.2
- b) Employee Housing Program:** relative to any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) Mobilehome Parks or Special Occupancy Parks Programs:** relative to the use of building systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator within the park in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Health and Safety Code Section 18865 for special occupancy parks.
- d) Factory-Built Housing Program:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

3) Rationale for Necessity

The 2018 IEBC was published by the ICC and will automatically become adopted in its entirety, pursuant to Health and Safety Code Section 17922 (b), one year from its date of publication if not amended and proposed by HCD to the CBSC for adoption.

If the 2018 IEBC becomes adopted in its entirety without being proposed for adoption with amendments by HCD to the CBSC, such automatic adoption would cause considerable confusion because California Amendments are necessary modifications to the model code language to ensure that the 2019 California Existing Building Code (CEBC) is consistent with state law and unique California conditions.

It is necessary to propose the adoption of some sections of the 2018 IEBC, with amendments to the model code language, to incorporate state and federal laws and regulations, and to benefit the health, safety, and general welfare of California residents.

It is necessary to not propose the adoption of some sections of the 2018 IEBC, as they would conflict with certain existing state and federal laws, and would not benefit the health, safety, and general welfare of California residents.

It is necessary to propose the removal of some California Amendments previously proposed and adopted in the 2016 CEBC that are duplicated or replaced by similar new model code language, or incorporated state and federal laws, and are no longer necessary.

It is necessary to bring forward previously existing California Amendments. Some existing amendments will be brought forward without any changes and will represent no change in regulatory effect from the 2016 CEBC. Other previously existing California Amendments will be changed as explained below.

Specific Proposed Regulatory Actions:

HCD proposes to adopt by reference the 2018 edition of the IEBC with amendments into the 2019 CEBC. These proposed amendments are intended to provide clarity, specificity and direction to the code user and to implement and make specific existing state laws. Many of the proposed amendments are a result of recommendations developed during the public participation period prior to submittal to the CBSC to be included in the 2018 Triennial Code Adoption Cycle. The rationale for each amendment is listed below.

Acronyms:

CBC	California Building Code
CEC	California Electrical Code
CEBC	California Existing Building Code
CMC	California Mechanical Code
CPC	California Plumbing Code
CRC	California Residential Code
CALGreen	California Green Building Standards Code
HCD	Department of Housing and Community Development
IBC	International Building Code
IEBC	International Existing Building Code

1. CHAPTER 1 SCOPE AND ADMINISTRATION DIVISION I CALIFORNIA ADMINISTRATION

HCD proposes to bring forward Chapter 1, Division I, Sections 1.1 and 1.8, from the 2016 CEBC for adoption into the 2019 CEBC with modifications as follows:

SECTION 1.1 – GENERAL

1.1.1 Title.

Rationale: HCD proposes to continue adoption of the above referenced section with modification. The proposed modification updates the reference to the IEBC from the 2015 IEBC to the 2018 IEBC.

1.1.2 Purpose.

1.1.3 Scope.

1.1.3.1 Nonstate-regulated buildings, structures, and applications.

1.1.3.2 State-regulated buildings, structures, and applications.

1.1.4 Appendices.

1.1.5 Referenced codes.

1.1.6 Nonbuilding standards, orders and regulations.

1.1.7 Order of precedence and use.

1.1.7.1 Differences.

1.1.7.2 Specific provisions.

1.1.7.3 Conflicts.

Rationale: HCD proposes to continue adoption of the above referenced sections without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the California Building Code (CBC), California Residential Code (CRC), California Mechanical Code (CMC) and California Plumbing Code (CPC).

1.1.7.3.1 Detached one-and two-family dwellings.

Rationale: HCD proposes to continue adoption of the above referenced section with modification, which removes efficiency dwelling units from the text. Proposed modification provides consistency with the CRC.

1.1.8 City, county, or city and county amendments, additions or deletions.

Rationale: HCD proposes to continue adoption of the above referenced sections without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

1.1.8.1 Findings and filings.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial modification in Item 3, which corrects HCD's address.

1.1.8.2 Locally adopted energy standards – California Energy Code, Part 6 .

Rationale: HCD proposes to continue adoption of the above referenced section without modification.

1.1.9 Effective date of this code.

HCD proposes to adopt the above referenced section with new amendment. HCD proposes to adopt a new exception, clarifying the effective dates for HCD-approved plans for factory-built housing (FBH). Pursuant to the CCR, Title 25, Section 3048, implementing the Factory-Built Housing Law (Health and Safety Code Section 19960 *et seq.*), FBH plans are valid for a period of 36 months from the date of approval. This allows approved plans to be valid during a period overlapping two triennial codes. The proposed exception has no change in regulatory effect, but provides a clear reference for code users that FBH plans approved and in compliance with a prior code may still be valid for building permits submitted during the effective period of the subsequent code.

1.1.10 Availability of codes.

1.1.11 Format.

1.1.12 Validity.

Rationale: HCD proposes to continue adoption of the above referenced sections without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

SECTION 1.8 - DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

1.8.1 Purpose.

Rationale: HCD proposes to continue adoption of the above referenced section without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

SECTION 1.8.2 – AUTHORITY AND ABBREVIATIONS

1.8.2.1 General.

Rationale: HCD proposes to continue adoption of the above referenced section without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

1.8.2.1.1 Housing construction.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial modification. There is no intended change in regulatory effect.

1.8.2.1.2 Housing accessibility.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial modification. The proposed modification aligns the language in this section with the language in other parts of

Title 24. There is no intended change in regulatory effect.

1.8.2.1.3 Permanent buildings in mobilehome parks and special occupancy parks.

Rationale: HCD proposes to continue adoption of the above referenced section without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

SECTION 1.8.3 – LOCAL ENFORCING AGENCY

- 1.8.3.1 Duties and powers.**
- 1.8.3.2 Laws, rules and regulations.**
- 1.8.3.2.1 State Housing Law.**
- 1.8.3.2.2 Mobilehome Parks Act.**
- 1.8.3.2.3 Special Occupancy Parks Act.**
- 1.8.3.2.4 Employee Housing Act.**
- 1.8.3.2.5 Factory-Built Housing Law.**

SECTION 1.8.4 – PERMITS, FEES, APPLICATIONS AND INSPECTIONS

- 1.8.4.1 Permits.**
- 1.8.4.2 Fees.**
- 1.8.4.3 Plan review and time limitations.**
- 1.8.4.3.1 Retention of plans.**

Rationale: HCD proposes to continue adoption of the above referenced sections without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

1.8.4.4 Inspections.

Rationale: HCD proposes to continue adoption of the above referenced section with editorial modification. The proposed modification provides a listing of the required inspections which accommodate renumbering in the 2018 IEBC as well as adoption of a new model code inspection requirement (Section 109.3.6 formerly adopted through emergency regulations for the 2016 CEBC as Section 109.3.7.1).

SECTION 1.8.5 – RIGHT OF ENTRY FOR ENFORCEMENT

- 1.8.5.1 General.**

SECTION 1.8.6 – LOCAL MODIFICATION BY ORDINANCE OR REGULATION

- 1.8.6.1 General.**
- 1.8.6.2 Findings, filings and rejections of local modifications.**

SECTION 1.8.7 – ALTERNATE MATERIALS, DESIGNS, TESTS AND METHODS OF CONSTRUCTION

- 1.8.7.1 General.**
- 1.8.7.2 Local building departments.**
- 1.8.7.2.1 Approval of alternates.**

Rationale: HCD proposes to continue adoption of the above referenced sections without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

1.8.7.3 Department of Housing and Community Development.

Rationale: HCD proposes to continue adoption of the above referenced section with nonsubstantive editorial modification. The proposed modification aligns the language in this section with the language in other parts of Title 24. There is no intended change in regulatory effect.

SECTION 1.8.8 – APPEALS BOARD

- 1.8.8.1 General.**
- 1.8.8.2 Definitions.**
- 1.8.8.3 Appeals.**

SECTION 1.8.9 - UNSAFE BUILDINGS OR STRUCTURES

- 1.8.9.1** **Authority to enforce.**
1.8.9.2 **Actions and proceedings.**

SECTION 1.8.10 - OTHER BUILDING REGULATIONS

- 1.8.10.1** **Existing structures.**
1.8.10.2 **Moved structures.**

Rationale: HCD proposes to continue adoption of the above referenced sections without modifications. Chapter 1, Division I, contains general requirements specific to the needs of California and each state agency. Section 1.1 is similar to Section 1.1 in Chapter 1, Division I, in the CBC, CRC, CMC and CPC.

2. CHAPTER 1 DIVISION II SCOPE AND ADMINISTRATION

HCD proposes to adopt Chapter 1, Division II, Sections 101.2, 101.8, 105.2 (Building 1 – 6 only), 106.1, 106.2.1, 106.2.3, 106.2.4, 106.2.5, 106.2.6, 109.3, 109.3.1, 109.3.2, 109.3.3, 109.3.4, 109.3.5, 109.3.6, 109.3.7, 109.3.8, 109.3.9, 109.3.10 ONLY, with new and existing amendments as follows:

SECTION - 101 GENERAL

Section: 101.2 Scope.

Rationale: HCD proposes to adopt the above referenced model code section without amendment. Section 101.2 is not adopted by HCD in the 2016 CEBC; however, the new exception provides clarity by referring to the CEBC or the CRC for detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height. The adoption of Section 101.2 does not conflict with any existing California laws and regulations.

Section: 101.8 Maintenance.

Rationale: HCD proposes to continue adoption of the above referenced existing California amendment, which was adopted during the 2017 emergency rulemaking process for the exterior elevated elements.

SECTION - 106 CONSTRUCTION DOCUMENTS

Section: 106.2.3 Means of egress

Rationale: HCD proposes to adopt the above referenced model code section without amendment. Section 106.2.3 is not adopted by HCD in the 2016 CEBC; however, if adopted, may be beneficial for code users and enforcing agencies. The adoption of Section 106.2.3 does not conflict with any existing California laws and regulations.

Section: 106.2.5 Exterior elevated elements (Exterior balconies, and elevated walking surfaces in the 2018 IEBC).

Rationale: HCD proposes to adopt the above referenced section with new amendment. HCD proposes to change the section title to refer to "Exterior elevated elements" and incorporate the same term in the text (instead of balconies and other elevated walking surfaces). The term is defined in Chapter 2 (See rationale for the definition of "Exterior elevated elements"). HCD also proposes to modify the language; the modification is intended to remove limitations to sources of water. The proposed amendments are coordinated with the CBSC and the Division of State Architect (DSA).

Section: 106.2.6 Exterior balconies and elevated walking surfaces. (2016 CEBC)

Rationale: HCD proposes to repeal the above referenced existing California amendment, which was an "early adoption" of Section 106.2.5 from the 2018 IEBC. Since California is adopting the 2018 IEBC, a separate California amendment is no longer necessary.

SECTION - 109 INSPECTIONS

Section: 109.3.4.1 Moisture content verification.

Rationale: HCD proposes to continue adoption of the above referenced existing California amendment. The existing amendment provides the code user with the correct references to the California Green Building Standards Code (CALGreen).

Section: 109.3.6 Weather-exposed exterior elevated element waterproofing (Weather-exposed balcony and walking surface waterproofing in 2016 CEBC).

Rationale: HCD proposes to adopt the above referenced section with new amendment. HCD proposes to change the section title to refer to "Exterior elevated elements" and incorporate the same term in the text (instead exterior balconies, and elevated walking surfaces). The term is defined in Chapter 2 (See rationale for the definition of "Exterior elevated elements"). HCD also proposes to modify the language; the modification is intended to remove limitations to sources of water. The proposed amendment are coordinated with the CBSC and DSA.

Section: 109.3.7.1 Weather exposed balcony and walking surface waterproofing. (2016 CEBC)

Rationale: HCD proposes to repeal the above referenced existing California amendment. The 2018 IEBC Section 109.3.6 "Weather exposed balcony and walking surface waterproofing," adequately addresses the provisions included in this amendment; therefore, the California amendment is no longer necessary.

Section: 109.3.8 (Formerly 109.3.7) Other inspections.

Rationale: HCD proposes to adopt the above referenced section with a modified existing California amendment. The modification clarifies that **all** noncompliant plumbing fixtures are required to be replaced with water conserving plumbing fixtures regardless of whether permitted work improvements are being done or not.

Chapter 587, Statutes of 2009 (Senate Bill 407), codified in the California Civil Code (Section 1101.1, *et seq.*), requires replacement of noncompliant plumbing fixtures in all existing single-family residential real property by January 1, 2017, and in all existing multifamily residential real property (including residential hotels) and commercial real property (including hotels and motels) by January 1, 2019. The law also mandates replacement of noncompliant plumbing fixtures in single-family residential buildings (on and after January 1, 2014) for alterations, improvements or additions. The existing note provides a reference to the Civil Code, but addresses only residential buildings undergoing permitted alterations, additions or improvements.

The proposed amendment provides clarity and consistency to the code user. Since the note is not regulatory and only provides a reference to the existing statute, there is no intended change in regulatory effect.

Section: 109.3.9 Special inspections.

Rationale: HCD proposes to adopt the above referenced section with existing California amendment.

3. CHAPTER 2 DEFINITIONS

HCD proposes to adopt Chapter 2 from the 2018 IEBC into the 2019 CEBC, with new and existing amendments as follows:

SECTION - 202 GENERAL DEFINITIONS

APPROVED.

Rationale: HCD proposes to adopt the above referenced definition with new California amendment. The new amendment incorporates language already adopted in all other parts of Title 24.

BUILDING.

Rationale: HCD proposes to repeal the existing California definition of "Building." The 2018 IEBC provides a definition of "Building," which is similar to the existing California definition. To align with the definition in the Health and Safety Code (HSC), Section 18908, HCD proposes to add the term "use" to the model code definition.

HCD also proposes to continue adoption of the existing California exception, referring to specific sections of the HSC and exempting commercial modulars, special purpose commercial modulars, mobilehomes, manufactured homes, recreational vehicles, and multifamily manufactured homes. There is no intended change in regulatory effect.

BUILDING OFFICIAL.

Rationale: HCD proposes to continue adoption of the above referenced California definitions without modifications.

CODE OFFICIAL.

Rationale: HCD proposes to adopt the above referenced model code definition with existing California amendment.

EXTERIOR ELEVATED ELEMENTS.

Rationale: HCD proposes to adopt a new definition for “exterior elevated elements.” This definition was derived from a proposed definition in Senate Bill 721 of 2017 with the following revisions. HCD proposes adding the terms “landings” and reference to extension beyond the exterior walls of a building or structure. HCD excluded the height application (above six feet) since SB 721 is intended to address inspection mandates, and not construction requirements. HCD proposes deleting references to “entry structures” and reliance on wood or wood-based products for support. The language for the proposed definition has been coordinated with DSA and BSC. This proposal addresses Recommendation 4 in the CBSC’s SB 465 Exterior Elevated Elements Working Group Report to the Legislature to define a new term – “exterior elevated elements” which would include elevated balconies, decks, walkways, stairs and landings.

SUBSTANDARD BUILDING.

Rationale: HCD proposes to adopt the above referenced new California definition. The proposed definition provides a reference to the HSC Section 17920.3, which lists the substandard conditions. Since the model code uses and defines the term “unsafe building,” and HCD in its amendments uses the term “substandard building” as defined in the HSC, HCD clarifies in the proposed definition that the substandard building is considered unsafe building.

The proposed definition provides clarity and consistency to the code user. There is no intended change in regulatory effect since the term is used synonymously with “unsafe building.”

UNSAFE.

Rationale: HCD proposes to adopt the above referenced definition with new California amendment. The new amendment clarifies that substandard buildings, as defined, are considered unsafe buildings. (See the definition of “Substandard building.”)

4. CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS

HCD proposes to adopt Chapter 3, except Section 305, from the 2018 IEBC into the 2019 CEBC, with new amendments as follows:

HCD Note: HCD did not adopt all chapters from the 2015 IEBC during the 2015 Triennial Code Adoption Cycle. Due to time constraints for coordination with stakeholders and other state agencies, HCD’s intent was to take the existing regulations from CBC Chapter 34 and relocate them into the 2016 CEBC without causing any change in regulatory effect from the 2013 CBC. However, HCD promised to re-evaluate the 2018 IEBC and adopt specific chapters or sections, if needed.

HCD did not adopt Chapter 3 in the 2016 CEBC. However, HCD believes that Chapter 3 provides important information for design and enforcement, and is proposing it for adoption with amendments.

SECTION 301 – ADMINISTRATION

Section: 301.1 General

Rationale: HCD proposes to adopt the above referenced section with new California amendment (relocated from 2016 CEBC Section 401.1). The new amendment provides a reference to the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1. Title 25 contains provisions for maintenance, alteration, repair, addition, or change of occupancy to existing buildings and accessory structures under the authority of HCD. The amendment is intended to modify the scope, clarifying that in addition to the requirements the CEBC, existing buildings (and accessory structures) with Group R occupancies shall comply with the applicable sections of Title 25.

HCD also proposes to adopt two exceptions, exempting specific type of buildings/structures under HCD authority. Exception 1 provides a reference to Title 25, which includes provisions for the use and maintenance of permanent structures in mobilehome parks and special occupancy parks. Exception 2 exempts limited-density owner-built rural dwellings, and provides a reference to Chapter 2 of the California Residential Code for the defined term.

The same amendment is currently adopted in Section 401.1 (Scope). Chapter 4 in the 2016 CEBC addresses prescriptive compliance method for existing buildings.

Section: 301.2 Repairs

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without amendment.

Section: 301.3 Alteration, addition or change of occupancy.

Rationale: HCD proposes to adopt the above referenced section with new California amendment. The proposed amendment incorporates existing language currently located in Chapter 4, addressing alterations and repairs of existing structures under HCD authority. Although Exception 1 allows code officials to approve projects exempted from compliance with Section 301.3, Exception 2 clarifies that the State Housing Law requires local ordinances to permit the replacement, retention and extension of original materials and methods of construction if the building is not or does not become a substandard building. HCD proposes a new definition for "substandard building" in Chapter 2 of this code.

HCD also proposes to clarify the scope and application of this section. The model code language refers to Sections 301.3.1, 301.3.2, or 301.3.3, and gives the applicant the option to select prescriptive method, performance method, or work area method. However, only the prescriptive method will be adopted in California and printed in the body of the code; the performance and work area methods will not be adopted by the state, but will be available for adoption by local jurisdictions. The new amendment clarifies that although an applicant may choose a method for compliance different from prescriptive, this method should also be approved (and adopted) by the local jurisdiction.

Section: 301.3.1 Prescriptive compliance method.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

Section: 301.3.2 Work area compliance method

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC with new amendment. HCD proposes to add a note to clarify that Chapters 6 through 12 are not adopted by HCD, but may be adopted on local level by a local ordinance pursuant to Section 1.1.11.

Section: 301.3.3 Performance compliance method

Rationale: HCD proposes to not adopt the above referenced section from the 2018 IEBC with new amendment. HCD proposes to add a note to clarify that Chapter 13 is not adopted by HCD, but may be adopted on local level by a local ordinance pursuant to Section 1.1.11.

Section: 301.4 Relocated or moved buildings

Rationale: HCD proposes to adopt the above referenced section with new amendment. HCD proposes to add the term "moved" for consistency with Chapter 14 and to provide clarity to the code user. There is no intended change in regulatory effect.

Section: 301.5 Compliance with accessibility

Rationale: HCD proposes to adopt the above referenced section with new amendment. HCD proposes to replace the model code language with new language clarifying that the accessibility provisions for covered multifamily dwellings are located in Chapter 11A. Although the 2009 edition of ICC A117.1 is a safe harbor for compliance with the Fair Housing Act Guidelines, it is not adopted "as-is" in California.

SECTION 302 - GENERAL PROVISIONS

Section: 302.1 Applicability.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

Section: 302.2 (Formerly 401.3) Dangerous conditions.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

Section: 302.3 Additional codes.

Rationale: HCD proposes to adopt the above referenced section with new California amendment. The proposed amendment refers to the applicable building codes in California.

Section: 302.4 (Formerly 401.2.1) Existing materials.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

HCD Note: In the 2016 CEBC, Section 401.2.1, HCD adopted language clarifying that local ordinances or

regulations shall permit the replacement, retention and extension of original materials, and the use of original methods of construction, if the building is not a substandard building. (See proposed Section 301.3, Exception 3). However, the model code, in Sections 302.4 and 302.5, uses different language, but provides the same requirements. There is no need for the existing amendment to be carried forward.

Section: 302.5 New and replacement materials.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

HCD Note: In the 2016 CEBC, Section 401.2.1, HCD adopted language clarifying that local ordinances or regulations shall permit the replacement, retention and extension of original materials, and the use of original methods of construction, if the building is not a substandard building. (See proposed Section 301.3, Exception 3). However, the model code, in Sections 302.4 and 302.5, uses different language, but provides the same requirements. There is no need for the existing amendment to be carried forward.

Section: 302.5.1 New structural members and connections.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

Section: 302.6 Occupancy and use.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

SECTION 303 - STRUCTURAL DESIGN LOADS AND EVALUATION AND DESIGN PROCEDURES

Section: 303.1 (Formerly 402.3.1 & 403.3.1) Live loads.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

Section: 303.2 Snow loads on adjacent buildings.

Section: 303.3 Seismic evaluation and design procedures.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modification.

Section: 303.3.1 (Formerly 401.2.3) Compliance with full seismic forces.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modification.

HCD Note: References to ASCE 41 were not adopted during the 2015 code adoption cycle because it was new in the IEBC and HCD did not have adequate time to evaluate it. After further review and numerous requests from design professionals and enforcing agencies to adopt ASCE 41 as a second option for seismic evaluation, HCD decided to propose Item 2 for adoption.

Section: 303.3.2 Compliance with reduced seismic forces.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modification.

SECTION 304 - IN-SITU LOAD TESTS

Section: 304.1 General.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modification.

SECTION 305 - ACCESSIBILITY FOR EXISTING BUILDINGS

Section: 305.1 Scope.

Rationale: HCD proposes NOT to adopt Section 305. However, HCD proposes to adopt a note in Section 305.1, which clarifies that the accessibility provisions for covered multifamily dwellings are located in Chapter 11A. (See also rationale for Section 301.5.)

5. CHAPTER 4 REPAIRS

HCD proposes to adopt Chapter 4 from the 2018 IEBC into the 2019 CEBC with new amendments as follows:

HCD Note: HCD did not adopt all chapters from the 2015 IEBC during the 2015 Triennial Code Adoption Cycle. Due to time constraints for coordination with stakeholders and other state agencies, HCD's intent was to take the existing regulations from CBC Chapter 34 and relocate them into the 2016 CEBC without causing any change in regulatory

effect from the 2013 CBC. However, HCD promised to re-evaluate the 2018 IEBC and adopt specific chapters or sections, if needed.

The requirements for repairs are located in Chapter 6 in the 2016 CEBC, but are not adopted by HCD nor printed in the code. However, HCD believes that Chapter 4 provides important information for design and enforcement, and is proposing it for adoption with amendments.

SECTION - 401 GENERAL

Section: 401.1 Scope.

Rationale: HCD proposes to adopt the above referenced section with new California amendment. The new amendment provides a reference to the California Historical Building Code as the appropriate code containing requirements for historical buildings in California. HCD is not proposing Chapter 12 for adoption.

Section: 401.2 Compliance.

Section: 401.3 Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modification.

SECTION 402 - BUILDING ELEMENTS AND MATERIALS

Section: 402.1 Glazing in hazardous locations.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

SECTION 403 - FIRE PROTECTION

Section: 403.1 General.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

SECTION 404 - MEANS OF EGRESS

Section: 404.1 General.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

SECTION 405 - STRUCTURAL

Section: 405.1 General.

Section: 405.2 Repairs to damaged buildings

Section: 405.2.1 Repairs for less than substantial structural damage.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modifications.

Section: 405.2.1.1 Snow damage.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

HCD Note: Section 405.2.1.1 is new in the model code, and it will not conflict with the State Housing Law if adopted. Although the SHL allows the extension of original materials and use of methods of construction, structural damage makes the building a substandard building.

Section: 405.2.2 Disproportionate earthquake damage.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

HCD Note: Section 405.2.2 is new in the model code, and will not conflict with the State Housing Law if adopted. Although the SHL allows the extension of original materials and use of methods of construction, structural damage makes the building a substandard building.

Section: 405.2.3 Substantial structural damage to vertical elements of the lateral force-resisting system.

Section: 405.2.3.1 Evaluation

Section: 405.2.3.2 Extent of repair for compliant buildings

Section: 405.2.3.3 Extent of repair for noncompliant buildings

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modifications.

HCD Note: HCD did not adopt these sections during the 2015 Triennial Code Adoption Cycle. However, after further

review, HCD considered that these sections, if adopted, would not conflict with the SHL. Although the SHL allows the extension of original materials and use of methods of construction, structural damage makes the building a substandard building.

405.2.4 Substantial structural damage to gravity load-carrying components.

405.2.4.1 Lateral force-resisting elements.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modifications.

HCD Note: HCD did not adopt these sections during the 2015 Triennial Code Adoption Cycle. However, after further review, HCD considered that these sections, if adopted, would not conflict with the SHL. Although the SHL allows the extension of original materials and use of methods of construction, structural damage makes the building a substandard building.

Section: 405.2.5 Flood hazard areas.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

SECTION 406 - ELECTRICAL

Section: 406.1 Material.

Section: 406.1.1 Receptacles.

Section: 406.1.2 Plug fuses.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC. The measures for electrical wiring and equipment undergoing repair are located in the California Electrical Code; however, Section 406 refers to NFPA 70, which is adopted by reference and is the model code for the 2019 CEC.

SECTION 407 - MECHANICAL

Section: 407.1 General

Rationale: HCD proposes to adopt the above referenced section with new amendment. The new amendment refers to the CMC for existing mechanical systems undergoing repair.

Section: 407.2 Mechanical draft systems for manually fired appliances and fireplaces

Rationale: HCD proposes NOT to adopt the above referenced section. The applicable code for existing mechanical systems undergoing repair, including mechanical draft systems for manually fired appliances and fireplaces, is the CMC.

SECTION 408 - PLUMBING

Section: 408.1 Materials

Rationale: HCD proposes to adopt the above referenced section with new amendment. The new amendment refers to the CPC and Division 4.3 of CALGreen for existing plumbing systems undergoing repair.

Section: 408.2 Water closet replacement

Rationale: HCD proposes to adopt the above referenced section with new amendment. The new amendment corrects the maximum flow rates for water closets, which is 1.28 gallons per flush. The proposed amendment provides clarity and consistency with CALGreen and the California Plumbing Code.

HCD proposes NOT to adopt the exception, which conflicts with the existing laws and regulations related to flow rates for water closets.

6. CHAPTER 4 REPAIRS

HCD proposes to repeal existing California amendments from Chapter 4 the 2016 CEBC. These model code sections no longer exist in the 2018 IEBC, model code adequately picked up, or amendments are proposed to be relocated to different chapters.

Section: 401.2.1 Existing materials.
Section: 402.6 Carbon monoxide detection in existing portions of a building.
Section: 403.1.1 Replacement, retention and extension of original materials
Section: 403.12 Carbon monoxide detection.
Section: 404.1.1 Replacement, retention and extension of original materials.
Section: 409.1 Conformance.

7. CHAPTER 5 PRESCRIPTIVE COMPLIANCE METHOD

HCD proposes to adopt Chapter 5, except Section 503.14, 504 and 507 from the 2018 IEBC into the 2019 CEBC, with new and existing amendments as follows:

SECTION - 501 GENERAL

Section: 501.1 (Formerly 401.1) Scope.

Rationale: HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment provides a reference to the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1. Title 25 contains provisions for maintenance, alteration, repair, addition, or change of occupancy to existing buildings and accessory structures under the authority of HCD. The amendment is intended to modify the scope, clarifying that in addition to the requirements the CEBC, existing buildings (and accessory structures) with Group R occupancies shall comply with the applicable sections of CCR Title 25.

HCD also proposes to continue adoption of two exceptions, exempting specific type of buildings/structures under HCD authority. Exception 2 provides a reference to Title 25, which includes provisions for the use and maintenance of permanent structures in mobilehome parks and special occupancy parks. Exception 3 exempts limited-density owner-built rural dwellings.

Section: 501.1.1 Compliance with other methods.

Rationale: HCD proposes NOT to adopt the above referenced section from the 2018 IEBC. The Performance compliance method and Classification of work compliance method are not adopted by HCD, but are available for adoption by a local ordinance.

Section: 501.2 Fire-resistance ratings.

Rationale: HCD proposes to adopt the above referenced section from the 2018 IEBC without modification.

SECTION – 502 ADDITIONS

Section: 502.1 General.

Rationale: HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment repeals the general term “International” and refers to CBC and CRC as the appropriate codes to provide consistency and clarity to the code user.

Section: 502.2 Disproportionate earthquake damage.

Section: 502.3 (Formerly 402.2) Flood hazard areas.

Section: 502.4 (Formerly 402.3) Existing structural elements carrying gravity load.

Section: 502.5 (Formerly 402.4.1) Existing structural elements carrying lateral load.

Section: 502.6 (Formerly 402.5) Smoke alarms in existing portions of a building.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without amendments.

Section: 502.7 Carbon monoxide alarms in existing portions of a building.

Rationale: HCD proposes to adopt the above referenced section with new California amendment. HCD proposes to

delete the model code language, and to implement the mandates contained in the Health and Safety Code requiring the installation of carbon monoxide detection in existing Group R occupancies with fuel burning appliances or an attached garage. The proposed amendment refers to Section 915 of the California Building Code and Section R315 of the California Residential Code, where the requirements for carbon monoxide detection are located. The proposed amendment also serves as a pointer to HSC Section 17926 for further reference and details.

SECTION – 503 ALTERATIONS

Section: 503.1 (Formerly 403.1) General.

Rationale: HCD proposes to adopt the above referenced section with existing California amendment. Existing amendment repeals the general term "International" and refers to California Building Code and California Residential Code as the appropriate code to provide consistency and clarity to the code user.

Section: 503.2 (Formerly 403.2) Flood hazard areas.

Section: 503.3 (Formerly 403.3) Existing structural elements carrying gravity load.

Section: 503.4 (Formerly 403.4) Existing structural elements carrying lateral load.

Section: 503.5 (Formerly 403.4.2) Seismic Design Category F.

Section: 503.6 (Formerly 403.5) Bracing for unreinforced masonry parapets on reroofing.

Section: 503.7 Anchorage for concrete and reinforced masonry walls.

Section: 503.8 (Formerly 403.6) Anchorage for unreinforced masonry wall in major alterations.

Section: 503.9 (Formerly 403.7) Bracing for unreinforced masonry parapets in major alterations.

Section: 503.10 Anchorage of unreinforced masonry partitions in major alterations.

Section: 503.11 Substantial structural alteration.

Section: 503.12 (Formerly 403.8) Roof diaphragms resisting wind loads in highwind regions.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without amendments.

Section: 503.13 Voluntary lateral force-resisting system alterations.

Rationale: HCD proposes to adopt the above referenced section without amendment.

Section: 503.14 (Formerly 403.10) Smoke alarms.

Rationale: HCD proposes NOT to adopt the above referenced section. HCD has no authority over smoke alarms; this section may be adopted by the SFM for residential occupancies.

Section: 503.15 Carbon monoxide alarms.

Rationale: HCD proposes to adopt the above referenced section with new California amendment. HCD proposes to repeal the model code language, and to implement the mandates contained in the Health and Safety Code requiring the installation of carbon monoxide detection in existing Group R occupancies with fuel burning appliances or an attached garage. The proposed amendment refers to Section 915 of the California Building Code and Section R315 of the California Residential Code, where the requirements for carbon monoxide detection are located. The proposed amendment also serves as a pointer to Section 17926 for further reference and details.

Section: 503.16 (Formerly 403.11) Refuge areas.

Section: 503.16.3 (Formerly 403.11.3) Horizontal exits.

Rationale: HCD proposes to adopt the above referenced sections without amendments.

Section: 503.16.1 (Formerly 403.11.1) Smoke compartments.

Section: 503.16.2 (Formerly 403.11.2) Ambulatory care.

Rationale: HCD proposes NOT to adopt the above referenced sections. HCD has no authority to develop standards for Groups I-2, I-3, and ambulatory care facilities.

SECTION – 504 FIRE ESCAPES

Rationale: HCD proposes not to adopt the above referenced section. HCD has no authority over fire escapes; this section is adopted by the State Fire Marshal for residential occupancies.

SECTION – 505 WINDOWS AND EMERGENCY ESCAPE OPENINGS

Section: 505.1 Replacement glass.

Rationale: HCD proposes to adopt the above referenced section without amendment.

Section: 505.2 Replacement window opening control devices.

Rationale: HCD proposes to adopt the above referenced section with new California amendment. The model code provides safety measures for windows where specific conditions are met; however, these requirements apply to windows in Group R-2 and R-3 buildings only, and do not include Group R-1 occupancies (hotels and motels). The new amendment adds Group R-1 and sleeping units to the text, mandating the same safety requirements for hotels and motels. Similar amendment was adopted in the CBC for new construction during the 2015 Triennial Code Adoption Cycle as a result of stakeholders' comments, requesting HCD to develop safety measures for dangerous window openings in transient lodging facilities.

Section: 505.3 Replacement window emergency escape and rescue openings.

Section: 505.4 Emergency escape and rescue openings.

Rationale: HCD proposes to adopt the above referenced sections without amendments.

SECTION – 506 CHANGE OF OCCUPANCY

Section: 506.1 (Formerly 407.1) Compliance.

Section: 506.1.1 (Formerly 407.1.1) Change in the character of use.

Section: 506.2 (Formerly 407.2) Certificate of occupancy.

Section: 506.3 (Formerly 407.3) Stairways.

Section: 506.4 (Formerly 407.4) Structural.

Section: 506.4.1 Live Loads.

Section: 506.4.3 Seismic loads (seismic force-resisting system).

Rationale: HCD proposes to adopt the above referenced sections without amendments.

SECTION – 507 HISTORIC BUILDINGS

Rationale: HCD proposes to continue NOT to adopt the above referenced section.

8. CHAPTERS 6 THROUGH 13

HCD proposes to continue to NOT adopt Chapters 6 through 13 from the 2018 IEBC into the 2019 CEBC. Chapters 6 through 13 will not be printed in the 2019 CEBC and may be available for adoption by a local ordinance.

**9. CHAPTER 14
RELOCATED OR MOVED BUILDINGS**

HCD proposes to adopt Chapter 14 from the 2018 IEBC into the 2019 CEBC with new amendments as follows:

HCD Note: HCD did not adopt all chapters from the 2015 IEBC during the 2015 Triennial Code Adoption Cycle. Due to time constraints for coordination with stakeholders and other state agencies, HCD's intent was to take the existing regulations from CBC Chapter 34 and relocate them into the 2016 CEBC without causing any change in regulatory effect from the 2013 CBC. However, HCD promised to re-evaluate the 2018 IEBC and adopt specific chapters or sections, if needed.

The requirements for relocated or moved buildings are located in Chapter 13 in the 2016 CEBC, and are not adopted by HCD. However, HCD believes that Chapter 14 provides important information for design and enforcement, and is proposing it for adoption with amendments.

SECTION – 1401 GENERAL

Section: 1401.1 Scope

Rationale: HCD proposes to adopt the above referenced section with new amendment. The new amendment clarifies that the provisions of Chapter 14 are not applicable to commercial modular, manufactured homes, mobilehomes, multi-unit manufactured housing, and special purpose commercial modulars.

In California, HCD has specific authority to implement and enforce installation/reinstallation of manufactured homes, mobilehomes, and commercial modular structures, as defined in the specified Health and Safety Code sections. Requirements for identification of manufactured homes are located in the specified Federal regulations; and

requirements for identification of commercial modulars and special purpose commercial modulars are specified in CCR 25, Sections 4032 and 4034 (c).

Section: 1401.2 Conformance

Rationale: HCD proposes to adopt the above referenced section with new amendment. The new amendment clarifies that in addition to the model code requirements, residential occupancies under HCD authority shall comply with the building code provisions in effect at the time of original construction and shall not be substandard buildings.

SECTION – 1402 rEQUIREMENTS

Section: 1402.1 Location on the lot.

Section: 1402.2 Foundation.

Section: 1402.2.1 Connection to the foundation.

Section: 1402.3 Wind loads.

Section: 1402.4 Seismic loads.

Section: 1402.5 Show loads.

Section: 1402.6 Flood hazard areas.

Section: 1402.7 Required inspection and repairs.

Rationale: HCD proposes to adopt the above referenced sections from the 2018 IEBC without modifications.

**10. CHAPTER 15
CONSTRUCTION SAFEGUARDS**

HCD proposes to adopt Chapter 15, Sections 1501, 1502, and 1503 only, from the 2018 IEBC into the 2019 CEBC with amendments as follows:

HCD Note: Sections 1501, 1502, and 1503 are adopted by HCD in the 2016 CEBC.

SECTION - 1501 GENERAL

Section: 1501.6.1 Walkways.

Rationale: HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment provides a correct reference to the accessibility provisions in Chapter 11A of the CBC.

**11. CHAPTER 16
REFERENCED STANDARDS**

Rationale: HCD proposes to adopt Chapter 16 from the 2018 IEBC into the 2019 CEBC without amendments. HCD proposes to NOT carry forward existing amendments from the 2016 CEBC into the 2019 CEBC.

**12. APPENDIX A
GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS
APPENDIX A
SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL
BUILDINGS**

HCD proposes to adopt Appendix A, Chapter A1 from the 2018 IEBC into the 2019 CEBC with existing amendments as follows:

SECTION - A100 APPLICATION

Section: A100.1 Vesting Authority.

Rationale: HCD proposes to continue adoption of the above referenced California existing amendment without new modifications.

SECTION - A103 DEFINITIONS

Section: A103.1 Definitions

Rationale: HCD proposes to adopt the above referenced section with existing California amendments.

BUILDING CODE.

Rationale: HCD proposes to continue adoption of the above referenced California definition.

SECTION - A105 GENERAL REQUIREMENTS

Section: A105.4 Structural observation, testing and inspection.

Rationale: HCD proposes to continue adoption of the above referenced sections with existing California amendments.

13. APPENDIX A GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS APPENDIX A, CHAPTER A2 EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS

HCD proposes to continue to not adopt Appendix A, Chapter A2 from the 2018 IEBC.

14. APPENDIX A GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS APPENDIX A, CHAPTER A3 PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF CRIPPLE WALLS AND SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAME RESIDENTIAL BUILDINGS

HCD proposes to adopt Appendix A, Chapter A3 (Sections A301.1 – A304.5.1, Tables A304.3.1 and A304.3.2, and Figures A304.1.3 – A304.4.2) from the 2018 IEBC into the 2019 CEBC with new and existing amendments as follows:

SECTION - A302 DEFINITIONS

Section: A302.1 Definitions

Rationale: HCD proposes to adopt the above referenced section with existing California amendments.

CODE OFFICIAL. ENFORCING AGENCY.

Rationale: HCD proposes to continue adoption of the above referenced California definitions without modifications.

SECTION - A304 STRENGTHENING REQUIREMENTS

Section: A304. 5 Inspections.

Rationale: HCD proposes to adopt the above referenced section with existing California amendments.

Section: A304.6 Phasing of the strengthening work.

Rationale: HCD proposes to continue adoption of the above referenced California amendment without modifications.

FIGURE A304.1.3 (Formerly A3-8A) TYPICAL FLOOR TO CRIPPLE WALL CONNECTION (FLOOR JOISTS NOT PARALLEL TO FOUNDATIONS)

Rationale: HCD proposes to adopt the above referenced figure, as renumbered, with modified existing California amendment. The modification corrects the referenced figure number to match the model code renumbering. There is no intended change in regulatory effect.

FIGURE A304.1.4(1) (Formerly A3-8B) TYPICAL FLOOR TO CRIPPLE WALL CONNECTION (FLOOR JOISTS PARALLEL TO FOUNDATIONS)

Rationale: HCD proposes to adopt the above referenced model code figure without amendments, and to repeal the existing California amendment. The existing amendment refers to Figure A3-6, which is renumbered to A304.4.1(2) in the 2018 IEBC. The model code was modified and now provides a reference to Figure A304.4.1(2); therefore, there is no need for the existing California amendment to be carried forward.

FIGURE A304.1.4(3) (Formerly A3-9) ALTERNATIVE FLOOR FRAMING TO CRIPPLE WALL CONNECTION

Rationale: HCD proposes to adopt the above referenced model code figure without amendments, and to repeal the existing California amendment. The existing amendment refers to Figure A3-6, which is renumbered to A304.4.1(2) in the 2018 IEBC. The model code was modified and now provides a reference to Figure A304.4.1(2); therefore, there is no need for the existing California amendment to be carried forward.

FIGURE A304.3.1(1) (Formerly A3-3) SILL PLATE ANCHORING TO EXISTING FOUNDATION

Rationale: HCD proposes to adopt the above referenced figure, as renumbered, with existing California amendment, which modifies the title.

FIGURE A304.4.1(3) (Formerly A3-7) PARTIAL CRIPPLE STUD WALL ELEVATION

Rationale: HCD proposes to adopt the above referenced figure, as renumbered, with existing California amendment.

FIGURE A304.4.2 (Formerly A3-10) FLOOR PLAN-CRIPPLE WALL BRACING LAYOUT

Rationale: HCD proposes to adopt the above referenced figure, as renumbered, with existing California amendment.

**15. APPENDIX A
GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS
CHAPTER A4
EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BUILDINGS WITH SOFT, WEAK
OR OPEN FRONT WALLS**

HCD proposes to continue to not adopt Appendix A, Chapter A4 from the 2018 IEBC.

**16. APPENDIX A
GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS
CHAPTER A5
REFERENCED STANDARDS**

HCD proposes to adopt Appendix A, Chapter A5, from the 2018 IBC into the 2019 CEBC without amendments.

**17. APPENDIX B
SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES**

HCD proposes to continue to not adopt Appendix B from the 2018 IEBC.

**18. APPENDIX C
GUIDELINES FOR THE WIND RETROFIT OF EXISTING BUILDINGS
CHAPTER C1
GABLE END RETROFIT FOR HIGH-WIND AREAS**

HCD proposes to continue to not adopt Appendix C from the 2018 IEBC.

**19. APPENDIX C
GUIDELINES FOR THE WIND RETROFIT OF EXISTING BUILDINGS
CHAPTER C2
ROOF DECK FASTENING FOR HIGH-WIND AREAS**

HCD proposes to continue to not adopt Appendix C from the 2018 IEBC.

**20. RESOURCE A
GUIDELINES ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLIES**

HCD proposes to continue to not adopt Resource A from the 2018 IEBC.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

(Government Code Section 11346.2(b)(3)) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

Chapter 372, Statutes of 2016 (Senate Bill SB 465), CBSC's Exterior Elevated Elements Working Group Report.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

(Government Code Section 11346.2(b)(1)) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.)

HCD is statutorily required to adopt by reference model building codes, which contain prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(4)(A)) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt the model code by reference. The proposed amendments are the only reasonable alternative for clarifying the 2019 CEBC.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

(Government Code Section 11346.2(b)(4)(B)) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt the model code by reference. The proposed amendments have no negative impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

(Government Code Section 11346.2(b)(5)(A)) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business)

None.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

(Government Code Sections 11346.3(b)(1) and 11346.5(a)(10))

The Department of Housing and Community Development has assessed whether or not and to what extent this proposal will affect the following:

The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation or the elimination of existing business within the State of California.

The expansion of businesses currently doing business with the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

(Government Code Section 11346.2(b)(5)(B)(i)) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.)

- Pursuant to Government Code Section 11346.2(b)(5)(B)(ii) adoption of the model codes is exempt from identification of the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates in the Initial Statement of Reasons.
- No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.
- The potential benefits provide recognition and appropriate use of new technologies and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards.
- Protection of public health and safety, worker safety and the environment.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 11346.2(b)(6)) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.)

These regulations do not duplicate nor conflict with federal regulations. The State of California has preemptive authority to adopt more restrictive mandatory standards for the construction methods and materials addressed in these regulations.